

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
EASTERN DIVISION
No. 4:18-CV-120-D

CURTIS PULLEY, et al.,

Plaintiffs,

v.

GREENVILLE HOUSING AUTHORITY,
et al.,

Defendants.

ORDER

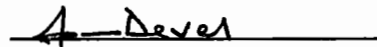
On August 2, 2018, Magistrate Judge Jones issued a Memorandum and Recommendation (“M&R”) and recommended that plaintiff’s application to proceed in forma pauperis be granted and that the complaint be dismissed for failure to state a claim upon which relief can be granted [D.E. 8]. On August 15, 2018, plaintiff filed objections to the M&R [D.E. 11], and exhibits to the objections [D.E. 12]. On August 16, 2018, plaintiff filed a motion to file audio and video evidence [D.E. 13]. On August 17, 2018, plaintiff filed a motion concerning being locked out off his apartment [D.E. 14].

“The Federal Magistrates Act requires a district court to make a de novo determination of those portions of the magistrate judge’s report or specified proposed findings or recommendations to which objection is made.” Diamond v. Colonial Life & Accident Ins. Co., 416 F.3d 310, 315 (4th Cir. 2005) (emphasis, alteration, and quotation omitted); see 28 U.S.C. § 636(b). Absent a timely objection, “a district court need not conduct a de novo review, but instead must only satisfy itself that there is no clear error on the face of the record in order to accept the recommendation.” Diamond, 416 F.3d at 315 (quotation omitted).

The court has reviewed the M&R, the record, and plaintiff's objections. As for those portions of the M&R to which plaintiff made no objection, the court is satisfied that there is no clear error on the face of the record. As for the objections, the court has reviewed the objections and the M&R de novo. Plaintiff failed to state a claim upon which relief can be granted, and his objections are overruled.

In sum, plaintiff's application to proceed in forma pauperis [D.E. 1] is GRANTED, plaintiff's objections to the M&R [D.E. 11] are OVERRULED, and plaintiff's complaint [D.E. 1-1] is DISMISSED without prejudice. Plaintiff's motion to file evidence is DENIED, and plaintiff's motion to unlock his apartment is DENIED. See [D.E. 13, 14].

SO ORDERED. This 21 day of August 2018.


JAMES C. DEVER III
Chief United States District Judge